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Making Consequence Management Work: Applying the Lesson of the Joint Terrorism Task Force

Will Goodman

Rolled Up

At about 9:00 p.m. on May 7, 2007, Dritan and Shain Duka arrived at a home in Cherry Hill, New Jersey. [1] They had an important meeting that night—a meeting long in the making. They rang the doorbell and waited. Their appointment was to purchase AK-47 and M-16 assault rifles, the first installment of weapons needed for a terrorist attack against targets in the U.S. The Dukas must have been nervous; Osama bin Laden himself had not successfully attacked the United States at home since September 11th. The Dukas probably did not attribute al Qa'ida and bin Laden's failure to an innovation in U.S. government counter terrorism organization. Perhaps they should have. Members of the South Jersey Joint Terrorism Task Force (JTTF) closed in, arresting the Dukas and four other alleged co-conspirators. Work by the JTTF, involving law enforcement personnel from a sweeping range of local, state, and federal agencies, had turned a single tip into six arrests.

That tip, from Circuit City clerk Brian Morgenstern, began an eighteen-month long investigation by the South Jersey JTTF. [2] Over a year and a half, the JTTF tracked the suspects and their activities by drawing on the expertise, contacts, and unique knowledge of individual JTTF members from law enforcement agencies at every jurisdictional level. The team collaborated to build an investigation on thorough and convincing evidence of the suspects' conspiracy to attack the U.S. Army base at Fort Dix, New Jersey, as well as possibly other military bases and public events. On May 7, 2007, the "Fort Dix Six" were arrested and accused of conspiring to commit murder. Since that time, one of the conspirators has pled guilty to weapons charges. The other suspects await trial.

Homeland Security and Innovating Bureaucratic Organization

The Joint Terrorism Task Force is a homeland security success because of the "mission-first" attitude inherent to its organization. The JTTFs, as "cross-functional teams," are composed of officers from nearly every major law enforcement entity in the United States. This organization makes the mission paramount by subordinating traditional institutional and bureaucratic boundaries to the critical counterterrorism tasks at hand. The fact that terrorists have not successfully conducted a domestic terrorist attack against the United States is not an accident and is not for lack of effort on the terrorists' part. Dr. James Carafano of the Heritage Foundation notes at least sixteen major terror plots disrupted by U.S. law enforcement since the World Trade Center attack. [3] The case of the Dukas' conspiracy is just one thread in a tapestry of counterterrorism and homeland security successes by the JTTFs since 9/11.

Consequence management, the ability of the U.S. government to respond to and recover from a devastating terrorist attack or natural disaster, will be the most critical element of homeland security success in the future. Even if we are able to prevent every future terrorist attack, the U.S. government must still be capable of responding to catastrophic natural disasters to save lives and diminish damage to property. As President Bush and others have said, while the U.S. government must be right every time, the terrorists need only be lucky once. Hurricane Katrina painfully demonstrated that when local, state, and federal agencies respond to catastrophes, the whole is far less than the sum of its parts. Though some progress is being made, observations from the most recent National Level Exercises and observations recorded in the 2006 *Katrina Lessons Learned Report* still reflect that mission success in consequence management takes a backseat to parochialism among departments and agencies. [4]

This essay identifies what makes the JTTF successful and applies those lessons to the planning and execution of consequence management operations. The first section of the essay addresses the Department of Justice charter for preventing terrorist attacks and the history of the JTTF as the context for its organizational arrangement and success. The second section proposes applying a structure similar to that of the JTTF to U.S. government consequence management planning and execution.

Exploring the Success of the Joint Terrorism Task Force

The JTTF is structured to meet mission requirements rather than managerial vision *per se*. Former President Clinton's *Presidential Decision Directive – 39* validated and reaffirmed a long-accepted view that law enforcement, in particular the FBI, leads the domestic counterterrorism mission. [5] Those responsible for accomplishing this mission, FBI special agents in the field, recognized that they could never succeed without the help and contributions of all other stakeholders. The normal organization of the FBI was insufficient to cover the totality of their responsibilities.

The FBI accepted the interagency task force as the best mechanism for integrating all local, state, and federal stakeholders into the counterterrorism mission. The FBI first explored flexible interagency task forces in 1979 with criminal bank robbery investigations in New York

City. [6] This criminal task force featured a single location with personnel from the FBI, New York State, and New York City law enforcement agencies and was a major success. In May 1980, FBI special agents decided the interagency task force organizational arrangement was the mechanism they needed to accomplish the counterterrorism mission. The New York City Task Force responded to terrorist threats by Puerto Rican separatists, the Weathermen Underground, and violent elements of the Black Panther Party that were joining together. "Out of necessity," notes Supervisory Special Agent Brad Swim of the National Joint Terrorism Task Force, "New York ventured into the Task Force concept for the JTTF."

Since that time, the JTTF has become the federal model for the counterterrorism mission. As of October 2007, 102 JTTFs operated full-time, with just over half their personnel from the FBI, 25 percent from state and local law enforcement, and 21 percent from other federal law enforcement agencies. [7] Individual JTTFs have no set staffing pattern; staffing, like counterterrorism investigation, is a franchise responsibility. State and local law enforcement agencies offer their personnel for detail to the local JTTF because of the valuable networking and investigative experience they gain. The broad acceptance of the concept and its record of terrorism prevention strongly suggest that the JTTF works.

The core principles of synergy and task orientation make the JTTF successful. Ideally, JTTF members assigned by their parent agency are full partners in every aspect of JTTF operations without regard to which federal, state, or local law enforcement agency employs them. [8] The individuals working at the JTTF who are not FBI personnel provide valuable reach back and collaboration with their parent agencies, but their daily assignments and investigative duties support only JTTF operations. This arrangement avoids supervisory conflicts. The regular cycling of employees from other law enforcement agencies to the JTTF facilitates a level of information sharing and collaboration that would be impossible in separate organizations that meet and share information only occasionally. The JTTF, representing the work of all area law enforcement in countering terrorism, exemplifies government operations that add up to more than the sum of their parts.

Applying the Success of the JTTF to Consequence Management Operations

Public and private sector studies on "matrix organizations" and "cross-functional teams" describe why the principles of the JTTF work well. According to a Government Accountability Office (GAO) report, "collaboration can be broadly defined as any joint activity that is intended to produce more public value than could be produced when organizations act alone." [9] The GAO contends this extra value is generated through a defined and articulated common outcome; mutually reinforcing or joint strategies; leveraging common resources; agreed upon roles and responsibilities; and compatible policies and procedures among other elements. All these points are exemplified by the JTTF organization. Private sector organizational theorists Donald Cushman and Sarah King call this "cross-functional teamwork," [10] which enhances organizational efficiency by "effective removal of all the artificial barriers between functional units along the value chain of the firm." Cross-functional teamwork also facilitates "cooperation between people from different traditional organizational units," eliminating problems which plague a company or its customers as a result of a cross-functional dispute where no one entity controls the process. Finally, "cross-functional teams facilitate intraproject and interproject cooperation." These qualities, found in the JTTF, are absent from U.S. government consequence management operations where institutional boundaries are paramount over mission success.

Cushman and King identify a major reason why consequence management operations fail. They aptly, albeit pessimistically, state that "people who work in different functions [organizations] hate each other." [11] The JTTF, as a cross-functional team, makes the traditional jurisdictional disputes of law enforcement irrelevant by reorienting everyone towards the same goal on the same team. The *National Response Framework (NRF)*, the updated guidelines for U.S. government consequence management, often confuses the reader with multiple goals under several command structures in numerous offices across different locations. Rather than upsetting the traditional authorities and their corresponding budgets, the *NRF* at times seems to reinforce the primacy of institutional boundaries at the expense of the mission. The overlapping responsibilities of the National Interagency Fire Center (NIFC) and the National Response Coordination Center (NRCC) serve as an example. While the NRCC is the coordination center for all disasters in the United States, the NIFC acts as another coordination center for only fire emergencies. While both these staffs work hard to support senior leader decision makers, having two operations centers, where one could suffice, creates a needless opportunity for confusion. Firefighters and decision makers may be left perplexed about whose information is correct and who is really in charge.

Observers should not be surprised that the JTTF has enjoyed success; after all, it has gone farther than most elements of the U.S. government to institute the cross-functional team model. In *Managing the Public Organization*, Cole Graham and Steven Hays articulate the vision of cross-functional teams (also called matrix organizations):

> In matrix organizations, the various specialists are joined in a common purpose, thanks to their membership on a team that is supervised and coordinated by an individual with responsibility for achieving a defined set of project goals. Meanwhile, however, their ties to their functional departments are not entirely severed...in addition to enabling managers to coordinate specialists more effectively, matrix organizations have achieved a reputation for creating work environments that are highly motivating and productive of innovations. [12]

In his book, Richard Daft outlines three conditions that precipitate the need for matrix organizations. [13] The cross-functional team is the most desirable approach when two or more critical sectors compete for lead responsibility in a task area; when the task environment is complex and uncertain; and when an economy of scale is required to conserve resources. No U.S. government mission reflects these three conditions more than consequence management operations. Our Federalist principles will not allow a single U.S. government entity to own all aspects of consequence management. [14] Cross-functional teams must solve the problems posed by consequence management.

The federal government should adopt a sensible process for consequence management planning and execution at the headquarters level, [15] and nominate a single cross-functional team under an individual department or agency for each step of that process. This assembly line would consist of cross-functional teams with members from all federal departments and agencies and some state, local, non-profit, and private sector entities that are owned and housed by a lead department or agency. An example process is outlined below: [16]

- *Threat Analysis* – completed by a cross-functional team under the director of National Intelligence, identifies which missions demand imminent preparation;
- *Strategic Guidance Statement* – completed by a cross-functional team owned by the White House Homeland Security Council, establishes the goals for planning;
- *Deliberate Planning Process* – completed by the Incident Management Planning Team (IMPT), a cross-functional team already in existence and owned by the Department of Homeland Security (DHS), produces the following:

- *analysis of the mission* based on the strategic guidance, with IMPT team members obtaining feedback from their parent organizations;
- *a concept of operations* to be approved by each parent organization; and
- *a full deliberate plan* for review and approval by the senior leaders in each representative organization;

- *Crisis Action Plan* – completed by a cross-functional team in the DHS National Operations Center (NOC) no more than twenty-four hours after a contingency occurs, fills in the holes of the IMPT's deliberate plan with the event's details; and
- *Mission Assignments* – completed by a cross-functional team in the Federal Emergency Management Agency NRCC, gives specific orders for every actor in the crisis to conduct their missions according to the plan produced by the NOC.

This process, based on cross-functional teaming, guarantees a collaboratively-developed, collaboratively-executed consequence management operation at the federal department and agency level.

While fully reorganizing the federal government consequence management planning and execution system into cross-functional teams is revolutionary, there are some indications that such a change may be underway. DHS, created in the aftermath of 9/11, aspired to the effects of a cross-functional team but failed to institute the concept as designed. The IMPT theoretically is a cross-functional team, but so far has only a low level of representation from organizations outside DHS. The IMPT is a cross-functional team for deliberate planning, but federal department and agency headquarters also need cross-functional teams to identify threats, provide strategic guidance, and then turn deliberate plans into crisis action plans and mission assignments. Our current piecemeal initiatives are well-meaning but miss the mark. Real success in consequence management operations will require a revolution of the bureaucracy, with cross-functional teams as the organizing principle.

CONCLUSION

Our nation's federalism guarantees that we will continue to have essential responsibilities dispersed across many organizations at the federal, state, and local levels of government as well as non-profit and private sector organizations. To avoid the inevitable confusion created by diffuse responsibilities across multiple layers of government in a crisis situation, we need to adopt cross-functional teaming on a grand scale. The JTTF has demonstrated the manifold benefits of cross-functional teams by demonstrating success in counterterrorism. The American people deserve the demonstrated success of cross-functional teaming for consequence management, the most critical future aspect of homeland security.

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1. *Michael Drewniak, Five Radical Islamists Charged with Planning Attack on Fort Dix Army Base in New Jersey (U.S. Department of Justice, U.S. Attorney, District of New Jersey, Public Affairs Office, May 7, 2007) http://www.usdoj.gov/usao/nj/press/files/pdffiles/duka0508rel.pdf*
2. *U.S. District Court, District of New Jersey. Dritan Duka Complaint (n.d.), http://www.usdoj.gov/usao/nj/press/files/pdffiles/DukaDritanComplaint.pdf.*
3. *James Jay Carafano, "U.S. Thwarts 19 Terrorist Attacks Against America Since 9/11," Backgrounder No. 2085 (Washington, DC: The Heritage Foundation, Nov 13, 2007). While Dr. Carafano does not cite JTTFs specifically, since the JTTF is not the subject of his article, the media and FBI public affairs have identified several of the attacks such as the "Lackawanna Six" (http://www.fbi.gov/page2/dec04/jttf120114.htm, accessed August 14, 2008) and the Fort Dix Plot as apprehensions led by local JTTFs. The media articles Dr. Carafano cites report many of the other plots as apprehensions by "federal terrorism investigations" or "federal terrorism probes," in which the reader may reasonably infer JTTF involvement, if not JTTF lead action.*
4. *Townsend, Francis Fragos, The Federal Response to Hurricane Katrina: Lessons Learned (Washington, DC: Government Printing Office, February 23, 2006). Available at http://www.whitehouse.gov/reports/katrina-lessons-learned.pdf. Accessed on August 14, 2008.*
5. *Department of Justice, Unclassified Summary of Presidential Decision Directive – 39 (n.d.) http://www.ojp.usdoj.gov/odp/docs/pdd39.htm.*
6. *Special thanks to Unit Chief Gregory Massa and Supervisory Special Agent Bradley Swim of the National Joint Terrorism Task Force (NJTTF). All historical and procedural information on the JTTF is from an October 3, 2007, interview with them and other members of the NJTTF.*
7. *Ibid.*
8. *The FBI Office of the Inspector General (OIG) released a report on improving FBI Task Force operations (including the JTTF) in June 2005 (http://www.usdoj.gov/oig/reports/plus/e0507/exec.htm, accessed August 14, 2008). The OIG notes that the JTTF still has major work to do in training JTTF members; providing a standard orientation for new members to the JTTF and its functions; incorporating members from some federal agencies (i.e. the Drug Enforcement Agency); improving the work conditions and information technology access for some JTTF members; incorporating local law enforcement in remote areas; addressing staffing shortages and leadership discontinuity; and creating outcome, rather than output, performance measures, among other issues. Significantly, the OIG does not criticize (publicly, at least) the conduct of counterterrorism investigations or information sharing and cooperation by the different law enforcement entities present in JTTFs. Very few, if any, reports by the Government Accountability Office or Federal department or agency Inspectors General will offer ringing endorsements of government programs. But in this case, the FBI OIG states, "...the task forces and councils have aided the Department's counterterrorism efforts..." Of course, they also recognize that the FBI can still improve its JTTF operations and performance measures. The recommendations made by the OIG reinforce cross-functional teaming by the JTTF and will likely further enhance JTTF operations in the future, if implemented.*
9. *Government Accountability Office, Practices that Can Help Enhance and Sustain Interagency Collaboration Among Federal Agencies (Washington, DC: GAO, October 2005), 4.*
10. *Donald P. Cushman and Sarah Sanderson King, Continuously Improving an Organization's Performance (Albany, NY: State University of New York Press, 1997), 103-105.*
11. *Ibid.*
12. *Cole B. Graham and Steven Hays, Managing the Public Organization (Washington, DC: Congressional Quarterly Press, 1986), 92.*
13. *Richard L. Daft, Organization Theory and Design (St. Paul, MN: West Publishing Company, 1983), 237.*
14. *Special thanks to Dr. Chris Lamb of the National Defense University and the Project for National Security Reform at http://www.pnsr.org/. His thoughts during an interview on 1 Oct 2007 and the work of PNSR published on their website contributed greatly to my thinking on interagency collaboration. Thanks also to Mr. Clark Lystra for sharing his broad knowledge of U.S. government consequence management.*
15. *The reader should note that the National Incident Management System (NIMS) (available in draft at http://www.regulations.gov/fdmspublic/component/main?main=DocumentDetail&o=0900006480541f5a as of August 14, 2008) proposes a cross-functional incident management system at the local level, which is the first and most important level of incident management. However, as disasters exceed the capabilities or capacity of local and even state responders, federal departments and agencies must have a NIMS corollary at the headquarters level. Local Incident Commands experience cross-functionality to the extent that their command system leverages the cross-functionality of NIMS, and the federal government should enjoy the same cross-functionality for threat assessment, strategic guidance, deliberate and crisis action planning, and mission assignment. The failure of the government in major catastrophes like Hurricane Katrina can be explained, at least in part, by the absence of a NIMS-like cross-functionality at federal department and agency headquarters, leaving Cabinet-level decision makers unaware of what actions were not being taken, what actions were being taken, by whom, and on what timeline.*

16. The process described here is based on the process described in DoD Joint Publication 5-0.

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